

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : **Chapter 11**
:
EVERGREEN GARDENS MEZZ LLC, *et al.* : **Case No. 21-10335 (MG)**
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Debtors.¹ :
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In re : **Chapter 11**
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EVERGREEN GARDENS I, LLC : **Case No. 21-11609 (MG)**
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Debtors.² :
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**ORDER OF FINAL DECREE CLOSING JOINTLY
ADMINISTERED CHAPTER 11 CASES**

Upon consideration of the motion (the “Motion”)³ of Tracy L. Klestadt, in his capacity as court appointed Plan Administrator (the “EGM Plan Administrator”) for Post-Effective Date Evergreen Gardens Mezz LLC (“EGM”), pursuant to section 350(a) of the Bankruptcy Code, for entry of an order of final decree closing the chapter 11 cases of EGM Chapter 11 Case (Chapter 11 Case No. 21-10335-MG) and the EG I (Chapter 11 Case No. 21-11609-MG);⁴ and the Court

1 The debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are Evergreen Gardens Mezz LLC (0416); Evergreen Gardens I LLC (2211); and Evergreen Gardens II LLC (6782) (collectively the “Debtors”). The Debtors’ principal offices are located at 199 Lee Avenue, Suite 693, Brooklyn, New York 11211.

2 The debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are Evergreen Gardens Mezz LLC (0416); Evergreen Gardens I LLC (2211); and Evergreen Gardens II LLC (6782) (collectively the “Debtors”). The Debtors’ principal offices are located at 199 Lee Avenue, Suite 693, Brooklyn, New York 11211.

3 Terms capitalized but not defined herein shall have the meanings assigned to them in the Motion.

4 The chapter 11 case of Evergreen Gardens II LLC (“EG II”) (Chapter 11 Case No. 21-11610) shall remain open.

having jurisdiction to consider the Motion; and sufficient notice of the Motion having been given; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. Pursuant to section 350(a) of the Bankruptcy Code, and the Plan, the Chapter 11 Cases are closed, subject only to this Court's continued jurisdiction as set forth in the Plan, and without prejudice to the rights of any party in interest to seek to reopen the EGM and EG I Chapter 11 Cases for cause shown.
3. The clerk of the Court is directed to mark the EGM and EG I Chapter 11 Cases as "closed". The chapter 11 case of EG II shall remain open.
4. The EGM Plan Administrator shall reserve sufficient funds to pay the Office of the United States Trustee the amount of any quarterly fees due pursuant to 28 U.S.C. § 1930 and any applicable interest due pursuant to 31 U.S.C. § 3717, which fees and interest, if any, shall be paid within fifteen (15) days of the entry of this Order of Final Decree (the "Order"). Within five (5) days after the entry of the Order, the EGM Plan Administrator shall file and serve upon the United States Trustee an affidavit indicating cash disbursements for the 3rd quarter of 2022 and for an additional period to the date that the Order has been entered.
5. The EGM Plan Administrator shall distribute any residual assets that come into his possession in accordance with the terms of the Plan.
6. The terms of this Order are effective immediately and enforceable upon its entry.
7. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

IT IS SO ORDERED.

Dated: September 30, 2022

New York, New York

/s/ **Martin Glenn**

MARTIN GLENN

Chief United States Bankruptcy Judge